REMARKS

The Examiner is thanked for the due consideration given the application. The specification has been amended to improve the headings. Claims 20-37 are pending in the application.

No new matter is believed to be added to the application by this amendment.

Election/Restriction

The Official Action has restricted the application into the following groups:

I. Claims 20-26 and 33-34, drawn to a protein crystal comprising the processivity clamp factor of DNA polymerase and a peptide of about 3 to about 30 amino acids; and a method to obtain the protein crystal;

II. Claims 27-31, drawn to a method to screen ligands or design or to modify compounds for the processivity clamp factor of DNA polymerase;

III. Claim 35, drawn to a method for the treatment of bacterial diseases or diseases originating from DNA synthesis processes; and

IV. Claims 36-37, drawn to a method to test *in vitro* the inhibitory effect of compounds on the processivity clamp factor-dependant activity of DNA polymerase.

Group I, claims 20-26 and 33-34, is elected with traverse.

The Official Action asserts that the 4 groups do not relate to a single general inventive concept under PCT Rule 13.1

because they lack the same or corresponding special technical features. Indeed, according to the Official Action, the common technical feature of a protein crystal including the processivity clamp factor of DNA polymerase and a peptide of about 3 to about 30 amino acids, would be disclosed in the prior art (KONG et al).

However, the present invention does not simply deal with a protein crystal including the processivity clamp factor of DNA polymerase and a peptide of about 3 to about 30 amino acids, but with a crystal including a specific part of the processivity clamp factor of DNA polymerase (see claim 20). Such a crystal is not the same as the one disclosed in KONG et al. (relied upon in the Official Action) and is not suggested in KONG et al.

Also, by turning to the art of KONG et al., the Official Action is clearly admitting that consideration and/or search of all the claims of the present invention has already been made. Since consideration and/or search has already been made, there is no additional burden to further prosecute all the claims of the present invention.

Further, claims 27-32 and 35 are drawn to methods involving such crystal in order to screen ligands, to design compounds liable to bind to such a crystal, to treat the same diseases, and should clearly be considered as belonging to the same invention.

It is additionally noted that during the international phase of the instant application, the Searching Authority did not

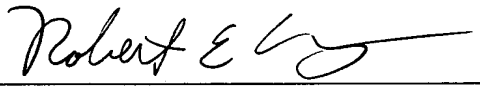
raise any non-unity issue, i.e., unity of invention was found, and that according to article 27 (1) PCT, "No national law shall require compliance with requirements relating to the form or contents of the international application different from or additional to those which are provided for in this Treaty and the Regulations."

Accordingly, withdrawal of the restriction requirement and early and favorable prosecution of all the claims on the merits is respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON



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